

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DAMON SESSION,

Plaintiff,

DECISION AND ORDER

07-CV-6076L

v.

ERIE COUNTY SHERIFF DEPARTMENT,
SHERIFF PATRICK GALLAVIN,

Defendants.

Plaintiff's *pro se* motion for summary judgment (Dkt. #23) is denied. Based on the nature of plaintiff's claim as to his entitlement for relief, it appears that there are material issues of fact which make summary judgment in plaintiff's favor inappropriate.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
June 7, 2011.